STATE OF VERMONT

HUMAN SERVICES BOARD

In re)	Fair	Hearing	No.	20,464
)				
Appeal of)				

INTRODUCTION

The petitioner appealed a decision of the Department of Children and Families, Office of Home Heating Fuel Assistance Program denying her fuel assistance. The issue is whether the petitioner's income exceeds the program maximum.

FINDINGS OF FACT

- 1. The petitioner is a household of one. Petitioner's sole source of income is Social Security Disability.

 Petitioner presently receives \$1,172.00 from the Social Security Administration.
- 2. At the hearing held on August 31, 2006, petitioner corrected the department who had listed her monthly income as \$1,172.50.
- 3. The petitioner did not dispute the department's determination that her countable income was and is \$1,022 per month which is in excess of the Fuel Assistance maximum of \$1,021 per month. As a disabled individual, petitioner

received a \$150 monthly disregard in determining her countable income.

ORDER

The Department's decision is affirmed.

REASONS

Under the Fuel Assistance Program, all fuel assistance household income is included as countable income minus any allowable deductions. W.A.M. §2901.2 and §2904. There is no dispute that the petitioner had countable income in excess of the maximum for eligibility under the Fuel Assistance Program for a household of one which is \$1,021. P-2905A. In conclusion, the department's finding that the petitioner is ineligible for fuel assistance based on being over income must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

#